



RCE
1F90

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yoshinari MORIMOTO

Group Art Unit: 2853

Application No.: 10/625,778

Examiner: J. HUFFMAN

Filed: July 24, 2003

Docket No.: 116571

For: INK JET PRINTER IN WHICH A BEST TEST **MAIL STOP RCE**
PATTERN PRINTED ON A RECORDING
MEDIUM IS AUTOMATICALLY SELECTED

**LARGE ENTITY REQUEST FOR
CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. §1.114, Applicant hereby requests continued examination.

☒ Applicant further requests entry and consideration of the attached Amendment.

The above-identified application was filed on or after June 8, 1995. Thus, entry is proper under 37 C.F.R. §1.114(d).

Applicant asserts that the RCE fee is not required.

As stated in MPEP §706.07(h)(XI)(B), right column of page 700-105, if a submission is filed with the RCE, but the fee is missing, the examiner should include a statement as to whether or not the submission has been entered. In general, such a submission should not be entered. If, however, the submission is an amendment that obviously places the application in condition for allowance, it should be entered with the approval of the supervisory patent examiner.

Furthermore, as stated in MPEP §1214.07, right column of page 1200-61, "If the amendment obviously places an application in condition for allowance, regardless of whether the amendment is filed with an RCE, the primary examiner should recommend that the amendment be entered" (emphasis added).

Applicant asserts that the Amendment obviously places the application in condition for allowance (and thus the RCE fee is not required) because the attached Amendment simply cancels all of the rejected claims and amends the allowable dependent claims into independent form.

Should the Patent Office disagree and assert that the RCE fee is required, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 15-0461, in order to ensure that the attached Amendment is entered.

Respectfully submitted,



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JAO:SMS/ldg

Date: January 26, 2009

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**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461